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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/660,043	09/12/2000	Alain Benayoun	FR9-1999-0106 US1	6001

26502 7590 11/06/2003

IBM CORPORATION
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EXAMINER	
CHOUDHURY, AZIZUL Q	
ART UNIT	**PAPER NUMBER**
2143	6

DATE MAILED: 11/06/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

3

Office Action Summary	Application No.	Applicant(s)	
	09/660,043	BENAYOUN ET AL.	
	Examiner	Art Unit	
	Azizul Choudhury	2143	

-- Th MAILING DATE of this communication appears on the cover sheet with the correspond nc address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *9/12/2000* .

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-8* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-8* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *9/12/2000* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____ .

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

Detailed Action

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-8 are rejected under 35 U.S.C. 102(b) as being anticipated by Daigle (US Pat No: US005795297A), hereafter referred to as Daigle.

3. With regards to claim 1, Daigle teaches a system for downloading a data file from a web server to a user workstation through a network to which is connected said user workstation, having a hard disk or storing said data file being transferred over a SCSI bus (Daigle's design has a computer with disk drives for storing data with data being transferred over a SCSI bus (column 7, lines 11-15, Daigle)); said user workstation including a dual-port memory said dual-port memory for storing temporarily said data file having an input port and an output port (Daigle's design also has a computer with dual-port memory (column 10, lines 58-60, Daigle)) , a network logic unit interconnected between said network and said input port for receiving said data file from said network and transmitting it to said dual-port memory (Daigle discloses the use of network cards which are equivalent to network logic units (column 3, lines 5-9, Daigle). Data received through the network cards inherently are sent to memory and hence are sent to dual port memory), and a SCSI logic unit inter connected between said output-port said SCSI

bus for transferring said data file from said dual-port memory to said hard disk over said SCSI bus (As stated before, Daigle's design implements the use of a SCSI bus to transfer data for storage. If data is transferred over a SCSI bus, the logic required to send it (such as the claimed SCSI logic unit) inherently must be present)).

4. With regards to claim 2, Daigle teaches a system wherein said user workstation comprises a microcontroller for running the file transfer routine between said network logic unit and said SCSI logic unit (As stated before, data is transferred over a SCSI bus to a drive (column 7, lines 11-15, Daigle) and hence SCSI logic units must be present. In addition, Daigle discloses in the abstract that software is used to transfer data through the bus. Such data transferring requires the use of file transfer routines and hence is inherent that it exists in Daigle's design).

5. With regards to claim 3, Daigle teaches a system wherein said user workstation comprises a network controller for storing bursts of said data file in said dual-port memory, and a SCSI controller for reading said bursts and writing them into said hard disk through said SCSI bus (Daigle's design has computers with the claimed dual-port memory (column 10, lines 58-60, Daigle), SCSI bus (column 7, lines 11-15, Daigle) and network cards (which are equivalent to network controllers, column 3, lines 5-9, Daigle). Network cards transfer data in bursts and dual port memory is used to store busts of data. In addition, if a SCSI bus exists and is used, the claimed SCSI controller must be present for the SCSI bus to function properly).

6. With regards to claim 4, Daigle teaches a system wherein said microcontroller includes port scanning means for determining when data are received which is the port

number being used and therefore the file transfer protocol to be used for achieving the data file transfer (Daigle discloses that in his design has computers with CPUs (which are able to have microcontrollers) that perform virtually all the operations of the system (column 3, lines 8-14, Daigle). Such operations include the claimed port scanning).

7. With regards to claim 5, Daigle teaches a system for uploading a data file from a user workstation to a web server through a network to which is connected said user workstation, having a hard disk wherein is stored said data file to be transferred over a SCSI bus (Daigle's design has computers (workstations) with network cards (column 3, lines 5-9, Daigle) and hence are able to connect to the network. In addition, Daigle discloses that the design has the computers have drives and a SCSI bus over which to transfer data over (column 7, lines 11-15, Daigle)); said user workstation including a dual-port memory for storing temporarily said data file, said dual-port memory having an input port and an output port (Daigle discloses that the design has dual port memory (column 10, lines 58-60, Daigle)), a SCSI logic unit connected to said SCSI bus for receiving said data file from said hard disk over said SCSI bus and transmitting it to said dual-port memory (As stated before, Daigle's design has a SCSI bus that allows the transmission of data and hence must contain the SCSI logic unit with which to control the transmission with), and a network logic unit interconnected between said network and said output port for transmitting said data file onto said network (As stated before, Daigle's design has the computers contain network cards. In addition, Daigle discloses that network links exist in the design (column 6, lines 5-10, Daigle))

8. With regards to claim 6, Daigle teaches a system wherein said user workstation comprises a microcontroller for running the file transfer routine between said SCSI logic unit and said network logic unit (As stated before, data is transferred over a SCSI bus to a drive (column 7, lines 11-15, Daigle) and hence SCSI logic units must be present. In addition, Daigle discloses in the abstract that software is used to transfer data through the bus. Such data transferring requires the use of file transfer routines and hence is inherent that it exists in Daigle's design).

9. With regards to claim 7, Daigle teaches a system wherein said user workstation comprises a SCSI controller for reading bursts of said data file from said hard disk and transferring them into said dual-port memory through said SCSI bus and a network controller for reading said bursts from said dual-port memory before transmitting them to said network (As stated above, Daigle's design has computers with the claimed dual-port memory (column 10, lines 58-60, Daigle), SCSI bus (column 7, lines 11-15, Daigle) and network cards (which are equivalent to network controllers, column 3, lines 5-9, Daigle). Network cards transfer data in bursts and dual port memory is used to store busts of data. In addition, if a SCSI bus exists and is used, the claimed SCSI controller must be present for the SCSI bus to function properly).

10. With regards to claim 8, Daigle teaches a system wherein said microcontroller includes port scanning means for determining which is the port number being used and therefore the file transfer protocol to be used for achieving the data file transfer when data are to be transferred from said hard disk to said network (As stated above, Daigle discloses that in his design has computers with CPUs (which are able to have

microcontrollers) that perform virtually all the operations of the system (column 3, lines 8-14, Daigle). Such operations include the claimed port scanning).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Azizul Choudhury whose telephone number is 703-305-7209. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wiley can be reached on 703-308-5221. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3800.

DAVID WILEY
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100